

Our Constitution recognizes native nations as prior sovereigns, with a continuing right to self-government in the Indian commerce, apportionment, treaty and supremacy clauses. The United States entered into 370 treaties with Indian nations and treaties of peace, friendship and commerce with the Kingdom of Hawaii. In many ways, the United States broke these treaties and engaged in acts of war against our Native peoples, taking lands by force, displacing Native peoples and leaving them in poverty and suffering. At times, the United States informed indigenous, Native peoples that their continued residence on their original lands would be considered an act of war against the U.S. and if they did not leave, U.S. military forces commenced wars, imprisoned and killed Native leaders and people, and tragically, at places like Sand Creek and Wounded Knee massacred Native men, women, and children.

Congress and the executive branch enacted laws and policies that took Native children out of their homes and forced them to attend boarding schools, far from their families in an effort to suppress Native cultures and languages. Our Nation denied Indian nations religious freedom. And these wrongs did not end in the 19th century. The United States continued to take Native lands for various purposes, and in many cases has failed to safeguard Native lands, waters, and resources.

For these things, our Nation should and now does apologize. I commend my colleagues, Senator BROWNBACK, Senator DORGAN and our Senate Appropriations chairman, Senator INOUE, for leadership on this important and historic apology. I know from experience that an apology can bring healing and reconciliation. Congress passed the Native Hawaiian Apology Resolution, Public Law 103-150, in 1993 and it has had a profound impact.

I encourage President Obama to issue an apology to our Native peoples that truly reflects the many wrongs that we should apologize for to Native peoples. The strength and resilience of our indigenous people, America's first people must be acknowledged. Despite the many transgressions made against our Nation's first people, American Indians, Alaska Natives, and Native Hawaiians continue to make meaningful contributions to the United States. This apology will be a historic act that can bring reconciliation and healing between our Native peoples and the American people as a whole.

Mr. BROWNBACK. Mr. President, I would also like to highlight a section of this conference report that means a great deal to many American Indian tribal leaders in this country, to several of my colleagues and to me personally, the Native American apology resolution.

I am very pleased to report that with the addition of this language in the defense appropriations conference report, we—the United States of America—will

officially apologize for the past ill-conceived policies and maltreatment by the United States toward the Native peoples of this land.

With the passage of this language, we, as a Nation, will reaffirm our commitment toward healing our Nation's wounds rooted in a difficult past of Federal-tribal relations and work toward establishing better relationships rooted in reconciliation and forgiveness.

Native Americans have a vast and proud legacy on this continent. Long before 1776 and the establishment of the United States of America, native peoples inhabited this land and maintained a powerful physical and spiritual connection to it. In service to the Creator, Native peoples sowed the land, journeyed it, and protected it. The people from my State of Kansas have a similar strong attachment to the land.

Like many in my State, I was raised on the land. I grew up farming and caring for the land. I and many in my State established a connection to this land as well. We care for our Nation and the land of our forefathers so greatly that we too are willing to serve and protect it, as faithful stewards of the creation with which God has blessed us. I believe without a doubt citizens across this great Nation share this sentiment and know its unifying power. Americans have stood side by side for centuries to defend this land we love.

Both the Founding Fathers of the United States and the indigenous tribes that lived here were attached to this land. Both sought to steward and protect it. There were several instances of collegiality and cooperation between our forbears—for example, in Jamestown, VA, Plymouth, MA, and in aid to explorers Lewis and Clark.

Yet, sadly, since the formation of the American Republic, numerous conflicts have ensued between our government, the Federal Government, and many of these tribes, conflicts in which warriors on all sides fought courageously and which all sides suffered. Even from the earliest days of our Republic there existed a sentiment that honorable dealings and a peaceful coexistence were clearly preferable to bloodshed. Indeed, our predecessors in congress in 1787 stated in the northwest ordinance:

"The utmost good faith shall always be observed toward the Indians."

Today we live up to this goal, today, we right a wrong that has been committed in this Nation.

This amendment extends a formal apology from the United States to tribal governments and Native peoples nationwide—something we have never done; something we should have done years and years ago.

Further, this resolution will not resolve the many challenges still facing Native Americans, nor will it authorize, support or settle any claims against the United States. It doesn't have anything to do with any property claims against the United States. That

is specifically set aside and not in this bill.

What this amendment achieves is recognition, honor, and the importance of Native Americans to this land and to the United States in the past and today and offers an official apology for the poor and painful path the U.S. Government sometimes made in relation to our Native brothers and sisters by disregarding our solemn word to Native peoples. It recognizes the negative impact of numerous destructive Federal acts and policies on Native Americans and their culture, and it begins—begins—the effort of reconciliation.

Apologies are oftentimes difficult, but like treaties, go beyond mere words and usher in a true spirit of reconciling past differences and help to pave the way toward a united future—a future that transcends the individual but strives to reach into eternity. The notion of the creation of the "Beloved Community" that Dr. King spoke of . . . that my good friend representative JOHN LEWIS speaks of is very appropriate at this moment for this time. "The end is reconciliation, the end is redemption, the end is the creation of the beloved community." This is our goal; this is my hope for our Nation united as one people.

#### AUNT ANNE IS 100 YEARS OLD TODAY

Mr. SPECTER. Mr. President, today is a momentous day in the history of the Specter/Shanin family. My aunt Anne Shanin Kleiman is 100 years old.

My Tante Annie, that's the Jewish name for Aunt Annie, is the younger sister of my mother, Lillie Shanin Specter. Annie is an outstanding scholar who published a book on Hebrew poetry.

She was the first person who taught me about Israel. She traveled to Israel before Israel was declared a state, when it was called Palestine. She sent me a beautiful wooden camel as a starting point to describe Biblical Canaan which later was called Palestine and is now Israel.

Annie married a distinguished scientist/chemist, Dr. Morton Kleiman, and had two brilliant children, Dr. Adina Sue Kensky and Dr. Jay Kleiman who has two accomplished children and two adorable grandchildren.

During the Depression when times were very tough and my family was struggling, Annie loaned my father \$500, an act of real generosity in tough times. Over the years, I have visited her many times, sought her advice, savored her excellent cooking, and enjoyed her company.

My first visit was to Chicago, where she has lived for many years. There I saw the marvels of the World's Fair. I rode in a scary cable car over Lake Michigan and was hoisted on to the stage by my father on a sideshow with an Indian chief. This occurred in the midst of the Depression when my family was en route from Wichita, KS,

where we had lived, to Philadelphia, PA, to live with my father's sister because my father could not earn a living in Kansas.

Recently, not unexpectedly, Annie has become infirm. When I have visited in recent years, it has been difficult to talk to her, but last night we had a nice conversation over the phone.

Her longevity has set a remarkable family record evidencing good genes and setting a Strom Thurmond-like target to emulate. She is a wonderful woman, a wonderful aunt, and a wonderful role model.

Happy Birthday, Tante Annie!

#### ADDITIONAL STATEMENTS

##### RECOGNIZING ESTABROOK'S

• Ms. SNOWE. Mr. President, with Christmas just a few short days away, we have all witnessed the signs of the season popping up in our neighborhoods. From vibrant wreaths and Christmas trees to wind-blown snow banks, these peaceful symbols provide many of us with a comforting feeling of home. Today I recognize a small Maine nursery that grows its own beautiful poinsettias, and supplies many other seasonal flora, to accentuate the beauty of the Christmas season.

Estabrook's has been a reliable family-owned, full service garden center for more than 50 years. Located in the coastal town of Yarmouth, Estabrook's grows fresh plants in its over 20 greenhouses and outdoor growing areas. The company also operates seasonal locations in Scarborough and, beginning earlier this year, in Kennebunk. Home to an abundance of trees and shrubs, perennial and annual flowers, and seeds for growing vegetables, Estabrook's also carries a variety of gardening supplies, such as chemicals, fertilizers and tools. In an effort to better inform its customers about the wonders of gardening, Estabrook's user-friendly website offers a variety of tips and best practices regarding caring for flowers and plants.

To properly celebrate the holidays, Estabrook's provides its clients with an abundance of seasonal items. For example, during the Christmas season the nursery creates stunning fresh centerpieces and grows its own brilliant red poinsettias. Additionally, aside from Christmas trees and wreaths, the company stocks a variety of garlands, roping, and other timely decorating supplies and ornaments to bring home the memorable sights and smells of the season.

Beyond its role as a stellar nursery, Estabrook's prides itself as being an extraordinarily active member of the local community. The company has widely promoted the Herbie Project, an undertaking to save New England's largest American Elm Tree, known to locals as Herbie. This initiative is particularly noteworthy given that Yarmouth has lost roughly 800 American

Elm trees to Dutch Elm Disease over the past fifty years. Additionally, Estabrook's has donated its gift certificates, cleverly known as "Estabucks," to community efforts, including the Holiday Boast N Toast Auction to benefit the Yarmouth Chamber of Commerce's Scholarship Fund and YarmouthCAN, a nonprofit that assists those needing a helping hand. The nursery has also taken great strides toward creating the Yarmouth Community Garden, which raises vegetables that are then donated to the area's disadvantaged individuals and families.

A well-known and trusted name in the community for over half a century, Estabrook's is a valued business in the town of Yarmouth because of its longstanding dedication to quality greenery and its visible presence in civic endeavors townwide. I thank everyone at Estabrook's for their caring and kind commitment to others, and wish them a happy and safe holiday season. •

##### SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY

• Mr. THUNE. Mr. President, today I recognize the South Dakota School of Mines and Technology, which will celebrate their 125th anniversary in 2010.

Located in Rapid City, the South Dakota School of Mines and Technology has been a national leader in preparing world-class engineers and scientists since 1885. Graduates design, construct, and operate the most modern technology to meet complex challenges such as climate change, bioenergy, mineral extraction and processing, advanced materials, environmental quality, and national defense. School of Mines alumni are held in the highest regard by their fellow leaders in industry, consulting, government, health, research, and education.

The School of Mines is proud to be a leading partner in bringing the Deep Underground Science and Engineering Laboratory, DUSEL, from an extraordinary vision to a phenomenal reality. The longstanding connections between the School of Mines and the Homestake Mine began in 1885 when the university was established to meet the growing research needs of the mining industry, led by Homestake. These connections continued when nearly a decade ago, the School of Mines helped champion the conversion of the mine into a national laboratory. Today, as we continue to prepare leaders in engineering and science, we are collaborating with our colleagues to transform Homestake into a world-class laboratory to further exceptional research and discoveries not yet imagined.

Rugged individuals and pioneers in engineering and science founded the School of Mines' intellectual environment more than a century ago. The university's faculty, staff, students, and alumni carry on that tradition today. In 2010, the School of Mines celebrates 125 years of award-winning faculty, staff, and students collabora-

rating to solve issues of critical importance to South Dakota, the nation, and the world. Please join me as we celebrate their legacy of educating the leaders of tomorrow. •

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4126. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9087-3) received in the Office of the President of the Senate on December 15, 2009; to the Committee on Environment and Public Works.

EC-4127. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Update to Materials Incorporated by Reference; Correction" (FRL No. 9093-6) received in the Office of the President of the Senate on December 15, 2009; to the Committee on Environment and Public Works.

EC-4128. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Change of Address for Submission of Certain Reports; Technical Corrections" (FRL No. 9093-5) received in the Office of the President of the Senate on December 15, 2009; to the Committee on Environment and Public Works.

EC-4129. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; California; Monterey Bay Region 8-Hour Ozone Maintenance Plan" (FRL No. 8983-4) received in the Office of the President of the Senate on December 15, 2009; to the Committee on Environment and Public Works.

EC-4130. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Maintenance Plan for Carbon Monoxide; State of